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Presentation of the National Conference on A National Agenda for the Environment and the Aging

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The National Conference of State Legislatures (NCSL), as an instrumentality of the states, serves as staff to state legislators in all 50 states, and is recognized as a national source of truly non-partisan information. This makes NCSL uniquely qualified to assist state legislators and agency officials in their efforts to work with their federal counterparts at EPA and other federal agencies, and to learn from EPA about how to better manage and administer their programs and policies.

The bylaws that direct the organization forbid any staff from lobbying state legislators or legislative staff, and NCSL management enforces this directive stringently. A branch of our Washington, D.C. office does lobby Congress, but only on policies determined by a three-quarters vote of all state legislatures. No grant funding is used to support agency-lobbying efforts.

NCSL is recognized by the states as an important source of information on any issue that legislatures deal with. Aging issues are handled in both the Washington, D.C. and Denver offices, environmental health issues are addressed by the Denver office. Staff in both offices provides support of NCSL's policy committees.

States are the primary implementers of environmental programs, policies and regulations. EPA has estimated that close to 80 percent of environmental laws are administered, funded and enforced by state governments. Programs to support our rapidly aging populations are found in many parts of the federal government, including the Department of Health and Human Services, the Department of housing and Urban Development, and the Department of Transportation. States administer a great many of these federal programs. Perhaps the most visible state role is evident in the federal/state/local partnership known as the Aging Network. Federal grants from the Administration on Aging along with state revenue allow a designated "single state aging agency" in each state to disperse grants to local communities to support senior centers, service-assisted housing, transportation, education, nursing home support services, meals, and a range of other services. States also administer Medicaid, the program that pays for long term care services and prescription drugs for low-income seniors.

State legislatures, being the policy making branch of state government, have followed the lead of federal agencies in addressing environmental health and aging issues through state legislation, policy initiatives and funding. As with the federal government, many policy initiatives at the state level require legislative approval before being authorized. The legislature appropriates funding for state programs and agencies; often even federal grants must undergo legislative review.

State agencies are assigned the administration of environmental and aging programs, being responsible for program implementation. They receive their authority to implement a program

from the legislature, or through a delegation process from a federal agency. Revision or amendments to federal environmental health and aging programs and policies have a significant effect on these state programs, forcing them to either follow federal agency revisions, request legislative changes, or compromise the program through reduced resources or supplanted funding.

For a variety of historical reasons state environmental health programs are often not well coordinated. During the 1970s and 1980s Congress passed environmental health legislation that addressed single, specific problems. Because of the availability of specific funding, state legislatures structured state agencies to follow what is commonly called the "stove pipe" approach, whereby programs are implemented in isolation from each other. State aging programs receive support under a variety of laws administered by different federal agencies, which pass funds on to a variety of state agencies. Thus, there is limited linkage among and between aging and environmental health programs at the state level at present. This is also the case at the local government level since most localities follow the lead of the states on these issues.

I would like to share with you what we are doing in two of our separate but related programs: aging and children's environmental health.

These programs provide state legislatures and agency officials information, analysis and insight on aging issues and children's environmental problems, designed in precise and specific format to meet their needs. They offer state policy makers, through technical assistance programs and policy dialogues, an opportunity to meet with federal agency staff to discuss key policies affecting state programs and provide insights into how federal policies can be closely aligned state policies. NCSL tracks state legislation and statutes, listing the legislative activities in the states in these two areas. Technical assistance is also provided to legislatures, offering in-depth information to assist legislators and staff in developing policies and legislation on aging and children's health. We also collaborate with such organizations as ECOS and ASTHO on children's health issues.

NCSL has grants from (or collaborates with) the Administration on Aging, the Center for Medicare and Medicaid Services, and the Assistant Secretary for Planning and Evaluation in the Department of Health and Human Services to provide education and technical support assistance on aging and long term care issues. NCSL also works with non-profit groups such as AARP, the Alzheimer's Association, and the Robert Wood Johnson Foundation on similar issues. In its aging programs, NCSL seeks to stay abreast of the most important trends and issues affecting elderly persons and share their policy implications with legislators. In particular, NCSL has worked to provide state legislators with information on the Olmstead Supreme Court decision, a landmark case that affirms the rights of persons with disabilities, including older persons, to receive care in an integrated community setting. NCSL has studied the state plans states prepared on Olmstead and is monitoring the progress states are making in implementing their plans.

Our overall goal is to provide general information for state legislators and state agency officials to remain apprised of legislative activities and issues surrounding these two areas. Thus, in

addition to the above, we provide policy guides available to the public, hold work shops and conferences, and list our activities in our magazine and on our web site. NCSL recognizes that each state is different and a "one size fits all" strategy will not work. – our information dissemination programs help states chart their own course.

One final thought: tight state budgets mean that state and local agency staffs will need to do more with less. Coordinated programs using volunteers make a lot of sense. In the states environmental health and aging groups are familiar with legislatures through their lobbying activities. Proposals for coordinated volunteer programs, that have minimal cost may find a receptive audience in state legislatures.
